



Doing Democracy Without Party Politics

By Reginald M.J. Oduor



The formation of factions is part of group dynamics, and is therefore to be found in every society. However, it was 18th century Western Europe and its North American corollary that invented the idea of institutionalising factions into political parties — groups formally constituted by people who share some aspirations and who aim to capture state power in order to use it to put those aspirations into practice. Britain’s Conservative Party and the Democratic Party in the US were the earliest such formations. Thus party politics are an integral part of representative democracy as understood by the Western liberal democratic tradition. Nevertheless, Marxist regimes such as those in China, Cuba, the former Soviet Union and the former East Germany also adopted the idea of political parties, but in those countries single party rule was the norm.

The idea of political parties gained traction in the various colonial territories in Africa beginning with the formation of the African National Congress (ANC) in South Africa in 1912. The founders of the ANC were influenced by African American political thinkers with whom they associated in their visits to the US.

Political organisations during the colonial period in Kenya

Kenya’s first indigenous political organisation, the East African Association (EAA), formed in 1919, had a leadership comprising different ethnic groups - Kikuyu, Luo, Kamba, the various communities later subsumed under “Luhya”, and some Ugandans, then the dominant ethnic groups in Nairobi. Its

political programme entailed protests against the hut-tax, forced labour, and the *kipande* (passbook). However, following the EAA-led Nairobi mass action of 1922 and the subsequent arrest and deportation of three of EAA's leaders, Harry Thuku, Waiganjo Ndotono and George Mugekenyi, the colonial government seemed to have resolved not to encourage countrywide African political activity, but rather ethnic associations. The subsequent period thus saw the proliferation of such ethnic bodies as the Kikuyu Central Association, Kikuyu Provincial Association, Kavirondo Tax-payers Association, North Kavirondo Tax-payers Association, Taita Hills Association, and the Ukamba Members Association.

In 1944, the colonial government appointed Eliud Mathu as the African representative to the Legislative Council (LegCo). On the advice of the governor, the Kenya African Study Union (KASU) was formed as a colonywide African body with which the lone African member could consult. However, the Africans changed its name to the Kenya African Union (KAU), insisting that their grievances did not need study but rather organisation.

In 1947, James Gichuru stepped down as chairman of KAU in favour of Jomo Kenyatta whose mandate was to establish it as a countrywide political forum. However, there were serious disparities in political awareness, and the colonial government continued to encourage the masses to think of the welfare of their own ethnic groups rather than that of the country as a whole. Besides, KAU's links with other communities were often strained because of what was perceived as Kikuyu domination of the organisation. By 1950, KAU was largely moribund because, through the Mau Mau Uprising, Africans challenged the entire basis of colonial rule instead of seeking piecemeal reforms. In June 1953, the colonial government banned KAU after it concluded that radicalisation was inevitable in any countrywide African political organisation.

From 1953 to 1956, the colonial government imposed a total ban on African political organisation. However, with the [Lyttelton Constitution](#) — which provided for increased African representation — in the offing, the colonial government decided to permit the formation of district political associations (except in the Central Province which was still under the state of Emergency and where the government would permit nothing more than an advisory council of loyalists). Argwings-Kodhek had formed the Kenya African National Congress to cut across district and ethnic lines, but the government would not register it, so its name was changed to the Nairobi District African Congress.

Consequently, the period leading up to independence in 1963 saw a proliferation of regional, ethnic and even clan-based political organisations: Mombasa African Democratic Union (MADU), Taita African Democratic Union (TADU), Abagussi Association of South Nyanza District (AASND), Maasai United Front Alliance (MA), Kalenjin Peoples Alliance (KPA), Baluhya Political Union (BPU), Rift Valley Peoples Congress (RVPC), Tom Mboya's Nairobi People Convention (NPC), Argwings-Kodhek's Nairobi African District Council (NADC), Masinde Muliro's Kenya Peoples Party (KPP), Paul Ngei's Akamba Peoples Party (APP) later named African Peoples Party (APP) and others.

However, between 1955 and 1963, there developed a countrywide movement led by non-Mau Mau African politicians who appealed to a vision of Kenya as a single people striving to free themselves from the shackles of colonialism. Nevertheless, it was a fragmented movement, partly because the different peoples of Kenya had an uneven political development, becoming politically active at different times. The difficulties of communication and discouragement from the colonial government also contributed to the weakness of the movement.

Nevertheless, on the eve of Kenya's independence in 1963, the numerous ethnically-based political parties coalesced into two blocks that became the Kenya African National Union (KANU), whose membership mainly came from the Kikuyu and the Luo, and the Kenya African Democratic Union (KADU) which mainly had support from the pastoralist communities such as the Kalenjin, Maasai,

Samburu, and Turkana, as well as the Giriama of the Coast and sections of the Luhya of Western Kenya. During the 1963 elections, on the eve of independence, KADU only secured control over two out of the eight regions, namely, the Rift Valley and the Coast.

KANU under Jomo Kenyatta

Although at his release from detention in 1961 Jomo Kenyatta was not keen to join KANU, he ended up as its leader through the [machinations of its operatives](#). He ascended to state power on its ticket at Kenya's independence, first as Prime Minister, then as President. As Prime Minister, Kenyatta was directly answerable to Parliament, and it is this accountability that he systematically undermined.

First, the KANU government initiated a series of constitutional amendments and subsidiary legislation that concentrated power in the hands of the central government at the expense of the regional governments entrenched in the Independence Constitution. This KANU easily achieved because KADU was greatly disadvantaged numerically in Parliament. Thus within the first year of independence, KANU undermined the regional governments by withholding funds due to them, passing legislation to circumvent their powers, and forcing major changes to the constitution by threatening and preparing to hold a referendum if the Senate - in which KADU could block the proposals - did not accede to the changes.

It was clear to KADU that it was outnumbered and outmanoeuvred, and that the prospects for enforcing the compromise federalist Independence Constitution were grim. It was also clear to KADU that it was highly unlikely that it would win power through subsequent elections. Consequently, KADU dissolved and joined KANU, resulting in Kenya becoming a *de facto* single-party state at the beginning of 1964. These amendments produced a strong provincial administration which became an instrument of central control.

Second, with the restraining power of the opposition party KADU out of the way, KANU initiated amendments that produced a hybrid constitution, replacing the parliamentary system of governance in the Independence Constitution with a strong executive presidency without the checks and balances entailed in the separation of powers. Thus KANU quickly created a highly centralised, authoritarian system in the fashion of the colonial state.

In 1966, Oginga Odinga, the Luo leader at the time, who had hitherto been the Vice President of both the country and KANU, lost both posts due to a series of political manoeuvres aimed at his political marginalisation. Odinga responded by forming a political party — the Kenya Peoples Union (KPU) — in April of the same year. KPU was a loose coalition of KANU-B “radicals” and trade-union leaders. Although a fifth of the sitting MPs initially supported it, KPU was widely perceived as a Luo party. This was mainly due to the fact that Kenyatta and his cohorts, using the hegemonic state-owned mass media, waged a highly effective propaganda war against it.

Kenyatta took every opportunity to promote the belief that all his political opponents came from Oginga Odinga's Luo community. Through a series of state-sponsored machinations, KPU performed dismally in the so-called little elections of 1966 occasioned by the new rule, expediently put in place by KANU, that all MPs who joined KPU had to seek a fresh mandate from the electorate.

During the 1969 General Election, KANU was for the first time unopposed. Those who were nominated by the party in the party primaries — where they were held — were declared automatically elected as MPs, and in the case of Kenyatta, President. Thus during the 1969 general election, Kenyatta also established the practice where only he would be the presidential candidate, and where members of his inner circle would also be unopposed in their bids to recapture

parliamentary seats.

During Kenyatta's visit to Kisumu in October 1969, just three months after the assassination of Thomas Joseph Mboya (Tom Mboya), a large Luo crowd reportedly threatened Kenyatta's security, and was fired on by the presidential security guards in what later came to be known as the "Kisumu massacre", resulting in the death of forty-three people. In an explanatory statement, the government accused KPU of being subversive, intentionally stirring up inter-ethnic strife, and of accepting foreign money to promote "anti-national" activities. Soon after this incident, the Attorney-General, Charles Njonjo, banned KPU under Legal Notice No.239 of 30th October 1969, and Kenya again became a *de facto* one-party state. Several KPU leaders and MPs were immediately apprehended and detained.

In 1973, the Gikuyu, Embu and Meru Association (GEMA) was formed with Kenyatta's consent. In a chapter in [Ethnicity and Democracy in Africa](#), the immediate former Attorney-General Prof. Githu Muigai, explains that GEMA had a two-pronged mission: to strengthen the immediate ethnic base of the Kenyatta state by incorporating the Embu and Meru into a union with the Kikuyu, and to circumvent KANU's party apparatus in the mobilisation of political support among these groups. While posing as a cultural organisation, GEMA virtually replaced KANU as the vehicle for political activity for most of the Kikuyu power elite. Consequently, many other ethnic groups formed "cultural groups" of their own such as the Luo Union and the New Akamba Union. As Prof. Muigai further observes, with the formation of GEMA, the façade of "nationalism" within KANU had broken down irretrievably.

In October 1975, Martin Shikuku, then MP for Butere, declared on the floor of Parliament that "anyone trying to lower the dignity of Parliament is trying to kill it the way KANU has been killed". When Clement Lubembe, then Assistant Minister for Tourism and Wildlife, demanded that Shikuku substantiate his claim that KANU had been killed, the then Deputy Speaker, Jean-Marie Seroney, stated: "According to Parliamentary procedures, there is no need to substantiate what is obvious." Consequently, Shikuku and Seroney were detained without trial, and were only released after Kenyatta's death in 1978.

KANU under Daniel arap Moi

Two years before Kenyatta's death, more than twenty MPs sought to amend the section of Kenya's constitution which stipulated that the vice president would become the interim president should the incumbent become incapacitated or die. Although the "Change the Constitution Movement" involved MPs from across the country, members of GEMA were among the most vociferous in seeking to block Daniel arap Moi's succession in this way. Thus, upon assuming the Presidency, Moi set about reducing the influence of GEMA, especially its leaders who had been closest to his predecessor. Whereas Kenyatta had by-passed KANU, Moi revitalised and mainstreamed it, using it as the institution through which his networks would be built. By so doing, he undercut the power of established ethno-regional political leaders, and made the party an instrument of personal control.

Besides, Moi [persecuted](#) advocates of reform among university lecturers, university students, lawyers and religious leaders, many of whom were arrested, tortured, detained without trial, or arraigned in court to answer to trumped up charges and subsequently face long prison sentences, and all this forced some of them into exile.

Furthermore, Moi co-opted into KANU the Central Organisation of Trade Unions (COTU), *Maendeleo ya Wanawake* (the countrywide women's organisation), and any other organisation that he viewed as a potential alternative locus of political power. At one point during Moi's reign, the provincial administration even harassed people who did not have KANU membership cards in their possessions

in markets, bus stops and other public places. I remember my father purchasing these cards to give to all his grown-up children in a bid to help them avoid such harassment. MPs lived under the fear of being expelled from KANU — which would mean automatic loss of their parliamentary seats — and so outdid one another in singing Moi's and KANU's dubious praises inside and outside Parliament. On the Voice of Kenya (VOK), the state-run radio station which enjoyed a monopoly, songs in praise of Moi and KANU and others castigating dissenters were played after every news broadcast.

Moi only conceded to restore multi-party politics at the end of 1991 due to the effects of his mismanagement of the economy coupled with the end of the Cold War, both of which increased internal and external pressure for reform. Nevertheless, he declared that people would understand that he was a “professor of politics”, and went on to emphasise that he would encourage the formation of as many parties as possible — a clear indication that he was determined to fragment the opposition in order to hang on to power for as long as possible. Indeed, the opposition unity that had influenced the change was not to last, as ethnically-based parties sprang up all over the country, enabling Moi to win both the 1992 and 1997 elections. Furthermore, the Moi regime was reluctant to put in place the legal infrastructure for a truly multiparty democracy, and the same was later to prove true of the Kibaki regime that took over power on 30th December 2002.

Parties as obstacles to democratisation

In a chapter in [*A Companion to African Philosophy*](#), Makerere University philosophy professor Edward Wamala outlines three shortcomings of the multi-party system of government in Ganda society in particular, and in Africa in general.

First, the party system destroys consensus by de-emphasising the role of the individual in political action. Put simply, the party replaces “the people”. Consequently, a politician holding public office does not really have loyalty to the people whom he or she purportedly represents, but rather to the sponsoring party. The same being true of politicians in opposing parties, no room is left for consensus building. We have often witnessed parties disagreeing for no other reason than that they must appear to hold opposing views, thereby promoting confrontation rather than consensus.

Second, in order to acquire power or retain it, political parties act on the notorious Machiavellian principle that the end justifies the means, thereby draining political practice of ethical considerations that had been a key feature of traditional political practice. We are thus left with materialistic considerations that foster the welfare not of the society at large, but rather of certain suitably aligned individuals and groups.

Third, as only a few members at the top of a party wield power, even the parties that command the majority and therefore form the government are in reality ruled by a handful of persons. As such, personal rule, after seeming to have been eliminated by putting aside monarchs and chiefs, makes a return to the political arena of the Western-type state. Thus the KANU-NDP “co-operation” and ultimate “merger” was the result of the rapprochement between Daniel arap Moi and Raila Odinga; the Grand Coalition Government was formed as a result of the decision of Mwai Kibaki and Raila Odinga; The Handshake and the Building Bridges Initiative was the result of private consultations between Raila Odinga and Uhuru Kenyatta. In all these cases, party organs were only convened to ratify what the party leaders had already decided, and dissenters threatened with disciplinary action. We have very recently seen the same approach in the debate on the allocation of revenue, where what was supposed to be the opposition party acquiesced to the ruling party's view simply because of the Handshake and the Building Bridges Initiative.

In my youth, I was convinced that if only multi-party rule would be restored in Kenya, autocracy would be a thing of the past. With hindsight, however, it is now clear to me that just as middlemen

enjoy the bulk of the fruit of the sweat of our small-scale farmers, so party leaders enjoy the massive political capital generated by the people. In short, party politics, whether with one, two or many parties in place, hinder true democratisation by perpetuating political elitism and autocracy.

Towards a no-party system of governance

In [Cultural Universals and Particulars](#), the Ghanaian philosopher Kwasi Wiredu advances the view that the no-party system has evident advantages over the multi-party system:

When representatives are not constrained by considerations regarding the fortunes of power-driven parties they will be more inclined in council to reason more objectively and listen more open-mindedly. And in any deliberative body in which sensitivity to the merits of ideas is a driving force, circumstances are unlikely to select any one group for consistent marginalisation in the process of decision-making. Apart from anything else, such marginalisation would be an affront to the fundamental human rights of decisional representation.

However, Yoweri Museveni's "no-party system" which he instituted when he took power in Uganda in 1986 was simply a one-party system in disguise. Indeed, in his [Sowing the Mustard Seed](#), Museveni unintentionally reveals a party orientation in his analysis of his electoral victory in 1996: "Although I was campaigning as an individual, I had been leading the movement for 26 years. Therefore, the success of the NRM and my success were intertwined."

Our various peoples had clear democratic practices in their pre-colonial political formations without the inconvenience of political parties. For example, Prof. Wamala, in the chapter already cited, informs us that the Kabaka of the Baganda could not go against the decision of the Elders. It is high time we learned from our indigenous heritages.

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